

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DRM 04-045

**Rulemaking Relative to Telephone Service and Prohibiting Providers from
Disconnecting Local Service for Customer Failure to Pay Toll Charges**

ORDER OF NOTICE

On January 27, 2000, the New Hampshire Public Utilities Commission (Commission) opened Docket No. 00-015, *Universal Service*, to investigate changes in the telecommunications market affecting the provision of universal service in New Hampshire and whether there were issues at the state level that needed to be addressed as a result of the Telecommunications Act of 1996. The investigation also sought to determine the need for a State Universal Service Fund, the appropriate size of such a fund and the mechanisms for its implementation and operation.

On December 22, 2000, the Commission issued Order No. 23,602 in Docket No. DT 00-015 in which it found, among other things, that the obstacle to universal service is the disconnection of local telephone service for non-payment of toll service. Accordingly, the Commission directed its Staff to initiate rulemaking to prohibit carriers from disconnecting local service for nonpayment of toll service. Staff has drafted rules which the Commission docketed as DRM 04-045.

On March 19, 2004, the Commission voted pursuant to RSA 541-A to initiate a Readoption and Amendment of N.H. Admin. Rules Puc 402, 403 and 411 (Telephone Service Rules).

A rulemaking notice form (Notice) required by RSA 541-A:6 was filed with the office of Legislative Services on April 13, 2004. The Notice sets forth the date of the public hearing to be held at the Commission and the deadline for submission of written comments. The Notice is appended hereto.

Commission Staff is sending a copy of the Notice and this Order of Notice by U.S. Mail to parties who previously requested notice of rulemakings pertaining to the Telephone Service Rules. Pursuant to RSA 541-A:6,III, notice may also be provided by public notice advertisement in a publication of daily statewide circulation.

The Readoption with Amendment may be viewed on the Commission website, www.puc.state.nh.us, or copies may be obtained from the Commission as set forth in the Notice.

Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to RSA 541-A:11, shall be held on June 15, 2004 at 10:00 a.m. as set forth in the Notice and that the deadline for submission of materials in writing or via e-mail shall be July 15, 2004 as set forth in the Notice; and it is

FURTHER ORDERED, that, pursuant to RSA 541-A:6,III, a public notice advertisement shall be undertaken by publishing a copy of this Order together with the Notice no later than May 15, 2004, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before June 1, 2004.

By order of the Public Utilities Commission of New Hampshire this thirtieth day
of April, 2004.

Debra A. Howland
Executive Director & Secretary

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 8 Old Suncook Road, Concord, NH 03301-7319; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week before the scheduled event.